



INTERIOR BOARD OF INDIAN APPEALS

Mark C. Sison v. Northwest Regional Director, Bureau of Indian Affairs

54 IBIA 115 (10/19/2011)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
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ARLINGTON, VA 22203

MARK C. SISON,)	Order Docketing and Dismissing Appeal
Appellant,)	
)	
v.)	
)	Docket No. IBIA 11-145
NORTHWEST REGIONAL)	
DIRECTOR, BUREAU OF)	
INDIAN AFFAIRS,)	
Appellee.)	October 19, 2011

Mark C. Sison (Appellant) appealed to the Board of Indian Appeals (Board) from a July 15, 2011, decision (Decision) of the Northwest Regional Director (Regional Director), Bureau of Indian Affairs (BIA), to resolve a dispute over the estate inventory of Appellant's mother, Edith Owen, deceased Nisqually (Decedent). The dispute was referred to BIA for a decision by Administrative Law Judge Thomas F. Gordon after Appellant objected to a request from the BIA Puget Sound Agency Superintendent to reopen Decedent's estate to remove Yakama Allotment No. 3843 (Allotment) from the estate inventory because Decedent no longer owned it at the time of death.¹ In his Decision, the Regional Director agreed with the Superintendent that Decedent's estate inventory should not include an interest in the Allotment because Decedent's interest had been conveyed to the Tribe through a deed approved and recorded by BIA in November 1992, prior to Decedent's death.

On August 11, 2011, the Board ordered Appellant to complete service of his appeal on the Regional Director, and other interested parties, as required by 43 C.F.R. §§ 4.310(b) and 4.332(a), and to notify the Board that he had done so.

The Board set a deadline of September 9, 2011, for Appellant to comply with the Board's order, and advised Appellant that if he failed to comply or to respond to the Board's order, his appeal might be dismissed without further notice.

¹ A decedent's estate is fixed at the time of death and consists of the property interests owned by the decedent at the time of death. See 43 C.F.R. § 30.101; *Estate of Samuel R. Boyd*, 43 IBIA 11, 21 n.12 (2006).

The U.S. Postal Service's Track-and-Confirm service on its website indicates that Appellant received the Board's order on August 13, 2011.

The Board has received no response from Appellant.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docketed but dismisses this appeal for failure to prosecute.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge